

SUPPORT FOR THE AMENDMENTS

Claims 2, 4, 20, 21, 65, and 67 were previously canceled.

Claims 1, 15, 16, 22-27, and 30 have been amended.

The amendment to Claims 1, 15, 16, 22-27, and 30 is supported by the specification, for example, at pages 7-10 (see, for example, page 7, lines 7-23, page 8, lines 17-21, and page 9, lines 3-8 (for example SEQ ID NO: 6 where X1 is H) and original and previously pending Claims 1, 15, 16, 22-27, and 30.

No new matter has been added by the present amendments.

REMARKS

Claims 1, 3, 5-19, 22-64, and 66 are pending in the present application.

The objection related to Claims 15 and 16 under 37 C.F.R. §1.75(c) is obviated by amendment. Applicants have amended Claims 15 and 16 to be written in independent form and to remove the language “or a mimetic peptide thereof.”

Withdrawal of this ground of objection is requested.

The rejection of Claims 15 and 16 under 35 U.S.C. §112, second paragraph, is believed to be obviated by amendment.

Applicants make no statement with respect to the propriety of these grounds of rejection and in now way acquiesce to the same. Solely to expedite examination of this application, Applicants have rewritten Claims 15 and 16 in independent form and to be free from the Examiner’s criticisms. Thus, the Examiner’s criticisms are believed to be moot.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1, 3, 6, 15, and 16 under 35 U.S.C. §112, first paragraph (new matter), is obviated by amendment.

Applicants make no statement with respect to the propriety of these grounds of rejection and in now way acquiesce to the same. Solely to expedite examination of this application, Applicants have replaced the expression “at most 15 amino acids” with the expression “5 to 15 amino acids”. Applicants submit that a peptide having 5 to 15 amino acids is supported by the application as filed. Specifically, at page 7, lines 7-23 the specification disclose peptides that have a length of about 3 to about 15 amino acids. At page

9, lines 3-8, the specification discloses a peptide of X1-X2-Arg-Phe-Ser-Arg (SEQ ID NO: 6). When X1 is a H, SEQ ID NO: 6 has a minimal length of 5 amino acids. Accordingly, the specification as filed provides support for a peptide having 5 to 15 amino acids. Thus, this ground of rejection is now moot.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 15 and 16 under 35 U.S.C. §112, first paragraph (written description), is obviated by amendment.

Applicants make no statement with respect to the propriety of these grounds of rejection and in now way acquiesce to the same. Solely to expedite examination of this application, Applicants have rewritten Claims 15 and 16 in independent form and to be free from the Examiner's criticisms. Specifically, Claims 15 and 16 as rewritten have the "or a mimetic peptide thereof" deleted. Applicants submit that the claims as written are free from the Examiner's criticisms and are enabled. Thus, the Examiner's criticisms are believed to be moot.

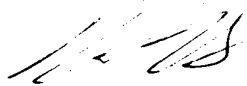
Withdrawal of this ground of rejection is requested.

Finally, with the allowability of the elected invention, Applicants request rejoinder and examination of the methods that depend from or otherwise include all the limitations of the allowable product claims (MPEP §821.04(a)).

Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.  
Richard L. Treanor, Ph.D.



Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)